

5498-01-TMC

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/US 97/18396INTERNATIONAL FILING DATE
09 October 1997PRIORITY DATE CLAIMED
11 October 1996

TITLE OF INVENTION

SULFONAMIDE INTERLEUKIN-1 β CONVERTING ENZYME INHIBITORS

APPLICANT(S) FOR DO/EO/US

H. ALBRECHT, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. A copy of the International Search Report (PCT/ISA/210).
8. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
9. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included:

13. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. A **FIRST** preliminary amendment.
A SECOND or **SUBSEQUENT** preliminary amendment.
16. A substitute specification.
17. A change of power of attorney and/or address letter.
18. Certificate of Mailing by Express Mail
19. Other items or information:

EXPRESS MAIL: EF 508611829 US

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

PCT/US 97/18396

ATTORNEY'S DOCKET NUMBER

5498-01-TMC

20. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

<input type="checkbox"/> Search Report has been prepared by the EPO or JPO	\$930.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482)	\$720.00
<input checked="" type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))	\$790.00
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$1,070.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)	\$98.00

CALCULATIONS PTO USE ONLY**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$790.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	58 - 20 =	38	x \$18.00	\$684.00
Independent claims	5 - 3 =	2	x \$78.00	\$156.00

Multiple Dependent Claims (check if applicable).

TOTAL OF ABOVE CALCULATIONS = \$1,630.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

\$0.00

SUBTOTAL = \$1,630.00Processing fee of \$130.00 for furnishing the English translation later than 20 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

TOTAL NATIONAL FEE = \$1,630.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

\$0.00

TOTAL FEES ENCLOSED = \$1,630.00Amount to be:
refunded \$
charged \$ A check in the amount of _____ to cover the above fees is enclosed. Please charge my Deposit Account No. 23-0455 in the amount of \$1,630.00 to cover the above fees.
A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 23-0455 A duplicate copy of this sheet is enclosed.**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Todd M. Crissey
 Warner-Lambert Company
 2800 Plymouth Road
 Ann Arbor, MI 48105

Telephone: 734-622-7530
 Fax: 734-622-1553

TCns1326 IP



SIGNATURE

Todd M. Crissey

NAME

37,807

REGISTRATION NUMBER

April 9, 1999

DATE

✓cm
✓cm

THE US PATENT AND TRADEMARK OFFICE IS IN RECEIPT OF:

1. TRANSMITTAL IN DUPLICATE FOR PATENT APPLICATION 4 PAGES
2. COPY OF INTERNATIONAL SEARCH REPORT AND ART 8+ PAGES
3. DECLARATION
4. COPY OF INTERNATIONAL PRELIMINARY EXAM REPORT
5. ACKNOWLEDGEMENT POSTCARD 6 PAGES

RECEIVED

APR 20 1999

FOR INVENTORS: H. ALBRECHT, ET AL.

INVENTION TITLED: SULFONAMIDE INTERLEUKIN-1 CONVERTING
ENZYME INHIBITORS

AA PATENT DEPT.

NATIONAL FILING OF PCT/US97/18396, filed October 9, 1997;
CLAIMING PRIORITY OF USSN 60/028,313, filed October 11, 1996.

EXPRESS MAIL: EF 508611829 US

5498-01-TMC

TMC:ns

APRIL 9, 1999

09/284422

410 Rockville Pike 09 APR 1999

SEARCHED

Date

7/10/99

For

TDS - Tmc

1/20/99

Customer Number: 000959

09/27/01
DIVISIONAL APPLICATION TRANSMITTAL FORM
UNDER RULE 1.53(b)

A/P/RCW

10/25/01
U.S. PTO

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION SERIAL NUMBER: 09/284,422	PRIOR APPLICATION FILING DATE: APRIL 9, 1999
BBI-5035CPUSDV	CLASS:	SUBCLASS:	EXAMINER: M. BORIN	ART UNIT: 1631

COMMISSIONER FOR PATENTS
 BOX PATENT APPLICATION
 WASHINGTON, DC 20231

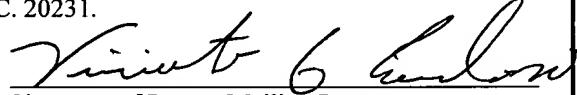
J1033 US PTO 09/964114 09/25/01

CERTIFICATION UNDER 37 CFR 1.10

Date of Deposit: September 25, 2001 Mailing Label Number: EL 489 806 564 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to the Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Viriato G. Cardoso
 Name of Person Mailing Paper


 Signature of Person Mailing Paper

Dear Sir:

This is a request for filing a divisional application under 37 CFR 1.53(b), of pending prior application serial no. 09/284,422 filed on April 9, 1999, of Hans P. Albrecht, John A. Hamish, Kenneth D. Brady, William G. Harter, Catherine R. Kostlan, Bruce D. Roth, and Nigel Walker entitled Sulfonamide Interleukin-1 β Converting Enzyme Inhibitors.

1. Enclosed is a copy of the national phase application papers:
 - Return Postcard (1 page)
 - Transmittal Letter of Patent Application (2 pages)
 - International Search Report (8 pages)
 - Executed Declaration and Power of Attorney (5 pages)
 - Notification of Transmittal of the International Preliminary Examination Report (6 pages)

- Enclosed is a courtesy copy of the international publication no. WO 98/16505 from international application no. PCT/US97/18396, with Search Report, including:
 - 36 pages of specification and 2 pages of PCT Publication Cover Sheets (Title, Abstract, etc.)
 - 12 page(s) of claims
 - 4 sheet(s) of International Search Report

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 09/284,422 as originally filed on April 9, 1999.

2. A verified statement to establish small entity status under 37 CFR 1.9 and 1.27, a copy of which is enclosed, was filed in the prior application and such status is still proper and desired (37 CFR 1.28(a)).

3. The filing fee is calculated below:

	NUMBER OF CLAIMS FILED			NUMBER EXTRA
TOTAL	33	MINUS	20	= 13
INDEP.	3	MINUS	3	= 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				

SMALL ENTITY	
RATE	FEES
x 9 =	\$.00
x 40 =	\$.00
+135 =	\$.00
BASIC FEE	\$.00
TOTAL	\$.00

OR

OTHER THAN A SMALL ENTITY	
RATE	FEES
x 18 =	\$ 234.00
x 80 =	\$ 0.00
+ 270 =	\$ 0.00
BASIC FEE	\$ 710.00
TOTAL	\$ 944.00

OR

4. The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this communication, or credit any overpayment, to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
5. A check in the amount of \$944.00 is enclosed for payment of the filing fee.
6. Cancel in this application original claims 2-10, 12-18, 25, 32, 42-47, 58 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
7. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claims in the prior application.)
8. Amend the specification by inserting before the first line the following paragraph: "This application is a divisional application of application no. 09/284,422, filed on April 9, 1999, Allowed, which is a US National Phase Application of PCT/US97/18396, filed October 9, 1997, and which claims priority to provisional application no. 60/028,313, filed October 11, 1996. The contents of all of the aforementioned applications are hereby incorporated by reference in their entireties."
9. Please abandon said prior application as of the filing date accorded this application. A duplicate copy of this transmittal is enclosed for filing in the prior application file. (May be used if signed by person authorized by §1.138 and before payment of base issue fee.)
10. Transfer the drawings from the pending prior application to this application.
11. Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.
 The certified copy has been filed in prior application serial no. _____ filed on _____.
 The certified copy will follow.
12. The prior application is assigned of record to Warner-Lambert Company and BASF Aktiengesellschaft, Reel 9747 & Frame 0774.
13. A _____ month extension of time has been submitted in the parent application Serial No. in order to establish copendency with the present application.
14. Also enclosed is a paper copy of a Sequence Listing comprising four (4) pages.
15. The power of attorney in the prior application is to Lahive & Cockfield, LLP.
 a. The power appears in the original papers in the prior application.
 b. Because the power does not appear in the original papers, copies of the Associate Power of Attorney dated June 29, 2001 (2 pages) and Revocation of Prior Powers of Attorney and Appointment of New Power of Attorney dated May 30, 2001 (3 pages) are enclosed.
 c. A new power has been executed and is attached.

16. Address all future communications (May only be completed by applicant, or attorney or agent of record) to Giulio A. D'Amanti, Jr. at Customer Number: 340959 whose address is:

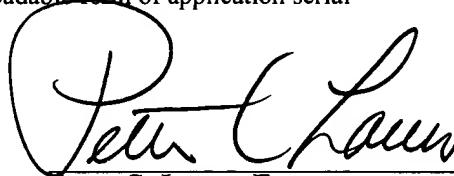
Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

17. Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 12-0080.
18. Pursuant to 37 CFR 1.821(e), the computer readable form of the sequence listing for this new application is to be identical with the computer readable form of application serial no. 09/284,422. Please use the computer readable form of application serial no. 09/284,422 in lieu of filing a duplicate computer readable form in this application. Pursuant to 37 CFR 1.821(f), the content of the paper copy of the sequence listing for this new application and the computer readable form of application serial no. 09/284,422 are the same.

September 25, 2001

Date

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
Tel. (617) 227-7400



Peter C. Lauro, Esq.

Reg. No. 32,360

- inventor(s) filed under §1.34(a)
 assignee of complete interest
 attorney or agent of record